

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

MINING PROJECT WIND DOWN HOLDINGS,
INC. (f/k/a Compute North Holdings, Inc.), *et al.*,¹

Reorganized Debtors.

Chapter 11

Case No. 22-90273 (MI)

(Jointly Administered)

**AGENDA FOR HEARING² ON OBJECTIONS TO CLAIM NOS. 10026 AND 10029 OF
NELU MIHAI SCHEDULED FOR OCTOBER 5, 2023 AT 1:30 P.M. (PREVAILING
CENTRAL TIME) BEFORE JUDGE ISGUR AT THE UNITED STATES
BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF TEXAS**

¹ On September 28, 2023, the Court entered the *Final Decree Closing Certain Cases and Amending Caption of Remaining Cases* [Docket No. 1287], closing the following sixteen entities: Mining Project Wind Down Atoka LLC (f/k/a CN Atoka LLC) (4384); Mining Project Wind Down BS LLC (f/k/a CN Big Spring LLC) (4397); Mining Project Wind Down Colorado Bend LLC (f/k/a CN Colorado Bend LLC) (4610); Mining Project Wind Down Developments LLC (f/k/a CN Developments LLC) (2570); Mining Project Wind Down Equipment LLC (f/k/a CN Equipment LLC) (6885); Mining Project Wind Down King Mountain LLC (f/k/a CN King Mountain LLC) (7190); Mining Project Wind Down MDN LLC (f/k/a CN Minden LLC) (3722); Mining Project Wind Down Mining LLC (f/k/a CN Mining LLC) (5223); Mining Project Wind Down Pledgor LLC (f/k/a CN Pledgor LLC) (9871); Mining Project Wind Down Member LLC (f/k/a Compute North Member LLC) (8639); Mining Project Wind Down NC08 LLC (f/k/a Compute North NC08 LLC) (8069); Mining Project Wind Down NY09 LLC (f/k/a Compute North NY09 LLC) (5453); Mining Project Wind Down STHDAK LLC (f/k/a Compute North SD, LLC) (1501); Mining Project Wind Down Texas LLC (f/k/a Compute North Texas LLC) (1883); Mining Project Wind Down TX06 LLC (f/k/a Compute North TX06 LLC) (5921); and Mining Project Wind Down TX10 LLC (f/k/a Compute North TX10 LLC) (4238). The chapter 11 cases of the remaining three Reorganized Debtors: Mining Project Wind Down Holdings, Inc. (f/k/a Compute North Holdings, Inc.) (4534); Mining Project Wind Down LLC (f/k/a Compute North LLC) (7185); and Mining Project Wind Down Corpus Christi LLC (f/k/a CN Corpus Christi LLC) (5551), shall remain open and jointly administered under the above caption. The Reorganized Debtors' service address for the purposes of these chapter 11 cases is 2305A Elmen Street, Houston, TX 77019.

² Audio connection will be by use of the Court's dial-in facility. You may access the facility at **832-917-1510**. Once connected, you will be asked to enter the conference room number. Judge Isgur's conference room number is **954554**. Video communication will be by use of GoToMeeting platform. Connect via the free GoToMeeting application or click the link on Judge Isgur's home page, **www.txs.uscourts.gov/content/united-states-bankruptcy-judge-marvin-igsur**. The meeting code is "**JudgeIsgur**." Click the settings icon in the upper right corner and enter your name under the personal information setting.

Matters Going Forward

1. Plan Administrator's Objection to Claim Asserted by Nelu Mihai (Claim No. 10029) [Docket No. 1199].

Responses: Response to Deny / Reject the Plan Administrator's Objection to Claim Asserted by Nelu Mihai (Claim No. 10029), and the Proposed Order 1199-2, Associated to Objection 1199 [Docket No. 1213].³

Reply in Support of Plan Administrator's Objection to Claim Asserted by Nelu Mihai (Claim No. 10029) [Docket No. 1230].

Related Documents:

- A. Motion for Correcting the Typos in the Dockets # 1213 and Docket # 1211, Filed by Mail on August 7, 2023, Representing the Response of Nelu Mihai, Claimant (Claim 10029) to the Objection No. 1199 and Proposed Order 1199-2 to Objection (Filed by Claimant Nelu Mihai) [Docket No. 1219].⁴
- B. Motion for Indicating the Documents Referred in the Response No. 1211 and 1213 by Claimant Nelu Mihai (Claim 10029) to Objection 1199 and Proposed Order 1199-2 Filed by the Plan Administrator (Filed by Claimant Nelu Mihai) [Docket No. 1225].⁵
- C. Sustaining Documents Filing, in Relation Response 1213 and 1211 and to Claim 10029, Filed as Addendums / Exhibits to Response 1213, 1211 to Objection 1199 (Filed by the Plan Administrator) to Claim 10029 (Filed by Claimant Nelu Mihai) [Docket No. 1226].
- D. Sustaining Documents Filing, in Relation Response 1213 and 1211 and to Claim 10029, Filed as Addendums / Exhibits to Response 1213, 1211 to Objection 1199 (Filed by the Plan Administrator) to Claim 10029 (Filed by Claimant Nelu Mihai) [Docket No. 1228].
- E. Sustaining Documents Filing, in Relation to Response 1213 and 1211 and to Claim 10029, Filed as Amended Addendums / Exhibits to Response 1213, 1211 to Objection 1199 (Filed by the Plan Administrator) to Claim 10029 (Filed by Claimant Nelu Mihai) [Docket No. 1229].
- F. Courtroom Minutes for Initial Hearing on Objection to Claim [Docket No. 1235].

³ The response by claimant Nelu Mihai appears to have been filed twice. An identical pleading appears at Docket No. 1211.

⁴ This pleading appears twice on the docket. An identical pleading appears at Docket No. 1224.

⁵ This pleading appears twice on the docket. An identical pleading appears at Docket No. 1223.

- G. Certificate of Service for First Set of Requests for Production Propounded upon Nelu Mihai. [Docket No. 1237].
- H. Motion for Initial Disclosure Pursuant to Rule 26(a)(1)(A)(1): the Propounding Party is in the Solely Possession, Control, Custody of Wages and Separation Agreement Payment Documents and Calculations, EFI etc., the Debtors (Including Insperity PEO Services L.P.) Being the Issuers of Such Documents/Information (Filed by Claimant Nelu Mihai) [Docket No. 1245].
- I. Response to Deny/Reject the Supplement 1230 to Objection 1199 and Proposed Order 1199-2 to Claim Asserted by Nelu Mihai (Claim No. 10029) (Filed by Claimant Nelu Mihai) [Docket No. 1258].
- J. Supplemental Response from Nelu Mihai to Deny/Reject the Reply 1230, In Relation to Denial of Objection 1199 and Proposed Order 1199-2 to Claim Asserted by Nelu Mihai (Claim No. 10029) (Filed by Claimant Nelu Mihai) [Docket No. 1259].
- K. Objection to Part of the Plan Administrator's Discoveries Request Docket 1237 (Filed by Claimant Nelu Mihai) [Docket No. 1268].
- L. Corrected Certificate of Service (Filed by Claimant Nelu Mihai) [Docket No. 1269].
- M. Memorandum of Law in Opposition to Claimant Mihai's (I) Motion for Initial Disclosure Pursuant to Rule 26(A)(1)(A)(1) and (II) Objection to Part of the Plan Administrator's Discoveries Request Docket 1237 [Docket No. 1273].
- N. Correction to Supplemental Response 1259 From Nelu Mihai to Deny / Reject the Reply 1230, In Relation To Denial Of Objection 1199 and Proposed Order 1199-2 to Claim Asserted By Nelu Mihai (Claim No. 10029) and New Discoveries (Filed by Claimant Nelu Mihai) [Docket No. 1274].
- O. Plan Administrator's Emergency Motion for Leave To File Sur-Sur-Reply In Support Of The Plan Administrator's Objection To Claim Asserted By Nelu Mihai (Claim No. 10029) [Docket No. 1277].
- P. First Emergency Motion Based on 29 CFR 18.31(a) and The Privacy Action of 1974 Filed by Creditor Nelu Mihai (Filed by Claimant Nelu Mihai) [Docket No. 1279].
- Q. Order on Emergency Motion to Seal [Docket No. 1280].
- R. Plan Administrator's Notice of Intent to Adduce Testimony From a Remote Location by Telephone and Video Technology [Docket No. 1290].

S. Nelu Mihai – Creditor’s Exhibits and Witness List (Filed by Claimant Nelu Mihai) [Docket No. 1293].⁶

T. Plan Administrator’s Witness and Exhibit List [Docket No. 1295].

U. Nelu Mihai – Revised Creditor’s Exhibits and Witness List (Filed by Claimant Nelu Mihai) [Docket No. 1301].

Status: This matter is going forward as a **final evidentiary hearing.**

2. Plan Administrator’s Objection to Claim Asserted by Nelu Mihai (Claim No. 10026) [Docket No. 1246].

Responses: Response to Deny / Reject the Plan Administrator’s Objection 1249 to Claim Asserted by Nelu Mihai (Claim No. 10026), and the Proposed Order 1249-2, Associated to Objection 1249 (Filed by Claimant Nelu Mihai) [Docket No. 1291].

Plan Administrator’s Reply in Support of Objection to Claim Asserted by Nelu Mihai (Claim No. 10026) [Docket No. 1304].

Related Documents:

- A. Corrected Response to Deny / Reject the Plan Administrator’s Objection 1246 to Claim Asserted by Nelu Mihai (Claim No. 10026), and the Proposed Order 1246-2, Associated to Objection 1246 (Filed by Claimant Nelu Mihai) [Docket No. 1300].

Status: This matter is going forward as an initial status conference pursuant to Local Rule 3007-1.

Dated: October 4, 2023.

Respectfully submitted,

/s/ Charles R. Gibbs

Charles R. Gibbs

Texas State Bar No. 7846300

MCDERMOTT WILL & EMERY LLP

2501 North Harwood Street, Suite 1900

Dallas, TX 75201-1664

Telephone: (214) 295-8000

⁶ This pleading appears twice on the docket. An identical pleading appears at Docket No. 1294.

Facsimile: (972) 232-3098
Email: crgibbs@mwe.com

– and –

Kara E. Casteel (admitted *pro hac vice*)
Jennifer A. Christian (admitted *pro hac vice*)
Nicholas C. Brown (admitted *pro hac vice*)

ASK LLP

2600 Eagan Woods Drive, Suite 400
St. Paul, MN 55121

Telephone: (651) 289-3846
Facsimile: (651) 406-9676
E-mail: kcasteel@askllp.com
jchristian@askllp.com
nbrown@askllp.com

*Counsel to the Mining Project Wind Down Holdings,
Inc. Litigation Trust and the Plan Administrator*

Certificate of Service

I certify that on October 4, 2023, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

I further certify that on October 4, 2023, I caused a copy of the foregoing document to be served by electronic mail upon the following party:

Nelu Mihai
201 Harrison Street
Suite 210
San Francisco, CA 94105
nelumihai@icloud.com

/s/ Charles R. Gibbs

Charles R. Gibbs